

REMARKS

Favorable reconsideration of the present application in view of the following remarks is respectfully requested.

Claims 1-14 are pending in the present application. Claims 4 and 5 were rejected under 35 U.S.C. 112, second paragraph. Claims 1-2, 6 and 8-12 were rejected under 35 USC 102(b) as being anticipated by Nakano et al. Claims 13-14 were rejected under 35 USC 102(b) as being anticipated by Taljaraad. Claim 3 was rejected under 35 USC 103(a) as being unpatentable over Nakano et al in view of Wasilewski et al.

Referring to the rejection of claims 4 and 5 under 35 USC 112, second paragraph, Claim 4 has been amended so as to be dependant on claim 3 which contains antecedent basis for the term “the key”; and Claim 5 has been amended so as to remove the terms “more or less”. Further, some of the claims include minor amendments which correct minor informalities and do not alter the scope of the claims. Accordingly, Claims 4 and 5 are in compliance with the requirements of 35 USC 112, second paragraph.

Referring to the rejection of Claims 1-2, 6 and 8-12 under 35 U.S.C. 102(b) as being anticipated by Nakano et al. (EP-A-0 796 014), Applicant(s) respectfully traverse this rejection, and request reconsideration. Applicants submit that Nakano et al. fails to disclose the feature of an information message of image availability being sent to a receiver device.

In the claimed invention and Nakano et al., three entities can be distinguished: the information provider/distribution server, the broadcasting station/telecasting means, and the user’s receiver device.

Nakano et al. teaches the sending of a transmission completion signal from the broadcasting station to the information provider (col. 8, lines 55-57). The user’s receiver device does not receive this signal.

Nakano et al. also teaches the sending of a receiving confirmation signal from the user’s receiver to the information provider (col. 9, lines 9-13). The signal allows one to know whether an image has been correctly received and allows one to repeat the transmission if need be.

The invention as defined by claim 1 contains the feature that an information message of image availability by telecasting is sent to the receiver device, i.e. to the user's device.

It is believed that such message can be read neither on the signal sent to the information provider by the broadcasting station nor on the signal sent to the information provider by the user's receiver device. In addition, the information message of the invention sent to the receiver device does not confirm correct reception of an image by the user's receiver device.

Accordingly, Claim 1 and Claims 2-12, which depend either directly or indirectly from claim 1, are believed to be allowable over the applied reference.

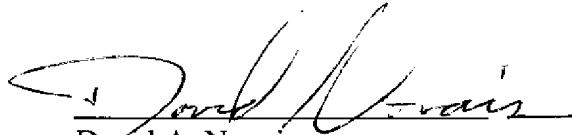
Referring to the rejection of Claim 13 under 35 U.S.C. 102(b), as being anticipated by Taljaraad (WO-01/31908), Claim 13 has been amended to set forth that the network communication channel comprises a message reception module to trigger the telecast signal reception channel upon receipt of an image availability message. This limitation finds support in the description on page 6, lines 16-25 of the present application.

Taljaraad fails to teach the feature of the telecast signal reception channel being triggered upon reception of an image availability message as required by Claim 13. Accordingly, Claim 13 and Claim 14 which depend from Claim 13 are therefore believed to be allowable.

Referring to the rejection of Claim 3 under 35 USC 103(a) as being unpatentable over Nakano et al. in view of Wasilewski, Claim 3 depends from claim 1 and sets forth a further unique feature of the invention that is also not believed to be shown or suggested in the applied references. More specifically, the reference to Nakano et al. and its applicability to the claimed invention has been discussed above, while the reference to Wasilewski does not correct the deficiencies of Nakano et al. with respect to the claimed invention. Accordingly, Claim 3 is also believed to be allowable.

In view of the foregoing remarks and amendment, it is respectfully submitted that the inventions set forth in each of Claims 1-14 are patentable, and a favorable reconsideration is therefore requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David A. Novais", written over a horizontal line.

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